UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,126	08/08/2001	Yih-Ping Luh		5879

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EXAMINER
TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/925,126	LUH, YIH-PING
	Examiner	Art Unit	
	Cam-Y T Truong	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-7</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1,2 and 7</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>3-6</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____

DETAILED ACTION

1.   Claims 1-7 are pending in this Office Action.

Election/Restrictions

2.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

     I.   Claims 1-2 are drawn to a transaction between an information provider

       and a customer via email, which is classified in class 709, subclass 206.

     II.   Claims 3-6 are drawn to accessing information in servers using server

       tools via Internet system, which is classified in class 709, subclass 217.

     III.   Claim 7 is drawn to decomposing a database, which is classified in class

       707, subclass 200.

3.   Inventions I, II and III are related as subcombinations disclosed as usable together

in a single combination. The subcombinations are distinct from each other if they are

shown to be separately usable. In the instant case, in invention I can be used in updating

original information after receiving information provider through email.   In invention II

can be used in allowing users to access stored information in a server by using server

tools on Internet system. In invention III can be used allowing the customer to accessibly

modify and/or update database partitions. See MPEP § 806.05(d).

4.   Because these inventions are distinct for the reasons given above and have

acquired a separate status in the art as shown by their different classification, restriction

for examination purposes as indicated is proper.

5.   During a telephone conversation with Mr. Wei Te Chung on 10/16/03 a

provisional election was made without traverse to prosecute the invention of group II,

claims 3-6. Affirmation of this election must be made by applicant in replying to this

Office action. Claims 1-2 and 7 are withdrawn from further consideration by the

examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ciarlante et al (or hereinafter "Ciarlante") (USP 6594819).

As to claim 3, Ciarlante teaches the claimed limitations:

"an information server controlled by the information provider" as a technical

profile, which is used by the host to determine which hosting servers, may be used. This

information shows the host controls the hosting servers. The host is represented as the

information provider (col. 4, lines 19-21);

"an original information box extracted from the information server" as during use

of the application instance, the host system tracks use of the application for billing and

accounting purpose. The DIH host system uses tools for tracking users. The first is

registration tables in the DIH relational database, which store account Ids that represent

each user in each instance and username/e-mail pairs that uniquely identify each user. A

second is a cascaded Public Address Book, which stores user records for each person

with instances on each hosting server. The above information shows that when tracking a

user, the host has to select a cascaded Public Address Book from a particular server and

then retrieve the particular server cascaded Public Address Book for tracking users. A

cascaded Public Address Book is represented as an original information box (col. 10,

lines 1-13);

"a tool server installed with a plurality of tools by an application service

provider" as the hosting system, such as an Internet Service Provider or ISP, contains a

number of components distributed over multiple servers. The host system contains a

database storing the application kits. These applications are hosted in one of any number

of dedicated host servers 16 contained in the hosting system 10. This information shows

that a server is installed with a plurality of the application kits by ISP. A plurality of the

application kits can be represented as a plurality of tools (col. 3, lines 53-64) "and

providing tools when instructed by the application service provider" as when a service

provider is ready to offer an application to customers, he or she creates an application

syndicate in the warehouse. A syndicate is an offer of an application, including rental

terms and pricing. Each syndicate has a different set of materials, allowing the service

provider to offer different pricing structures to different customers. Once a syndicate has

been created, the service provider publishes it to a storefront to make it available to customers. This information shows that the system provides syndicates of applications to customers when instructed by the service provider. Syndicates of an application can be represented as tools (col. 6, lines 60-67).

Ciarlante does not explicitly teach the claimed limitation "and a tool-added information box being resulted by packing the original information box with tools of the tool server and sent to the customer for the customer to access the data contained in the tool-added information box". However, Ciarlante teaches as during use of the application instance, the host system tracks use of the application for billing and accounting purpose. The DIH host system uses three tools for tracking users. The first is registration tables in the DIH relational database, which store account Ids that represent each user in each instance and username/e-mail pairs that uniquely identify each user. A second is a cascaded Public Address Book, which stores user records for each person with instances on each hosting server. A third is the Public Address Book, which stores groups for each instance. An instance, which is represented as a tool-added information box, is sent to users to access data such as account or user records (col. 10, lines 5-10). The above information shows that the application instance is a result from contains a cascaded Public Address Book by packing DIH relational database and Public Address Book via the DIH host system. In this case, the second tool, a cascaded Public Address Book, can be an original information box. Packing DIH relational database and Public Address Book are represented as tools. The DIH host system is represented as a tool server. A instance is represented as a tool-added information box (col. 10, lines 5-17).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Ciarlante's teaching of the host system tracks use of the

application for billing and accounting purpose. The DIH host system uses three tools for

tracking users. The first is registration tables in the DIH relational database, which store

account Ids that represent each user in each instance and username/e-mail pairs that

uniquely identify each user. A second is a cascaded Public Address Book, which stores

user records for each person with instances on each hosting server. A third is the Public

Address Book, which stores groups for each instance. An instance is sent to users to

access data such as account or user records in order to allow any user can access any

instance from different sites via Internet system.

As to claim 4, Ciarlante teaches the claimed limitation "a transacted information

box which is resulted from the tool-added information box accessed and modified by the

customer and sent from the customer back to the information server for updating the

information server" as updating data in DIHUsers databases on the Hosting servers (col.

6, lines 20-25).

As to claim 5, Ciarlante teaches the claimed limitations:

"an information server which is controlled by the information provider" as the

host use a technical profile to determine which hosting servers may be used. This

information indicates that the host controls the hosting servers. The host is represented as

the information provider (col. 4, lines 19-20);

"an original information box selectively extracted from the information server by

the information provider" as during use of the application instance, the host system tracks

use of the application for billing and accounting purpose. The DIH host system uses

tools for tracking users. The first is registration tables in the DIH relational database,

which store account Ids that represent each user in each instance and username/e-mail

pairs that uniquely identify each user. A second is a cascaded Public Address Book,

which stores user records for each person with instances on each hosting server. The

above information shows that when tracking a user, the host has to select a cascaded

Public Address Book from a particular server and then retrieve the particular server

cascaded Public Address Book for tracking users. A cascaded Public Address Book is

represented as an original information box (col. 10, lines 1-13);

"a tool server providing tools for accessing information stored in the original

information box" as the Registry server, which writes to the registration tables in the

Domino Instant! Host relational database and also calls the Directory server to update the

data in the DIHUsers databases on the Hosting servers. Each DIHUsers database is a

cascaded Public Address Book that contains personal documents for all users. The

directory server makes changes to the Public Address Books such as adding person

documents or changing group entries. This information shows that directory server has

provided tools for updating data in a cascaded Public Address Book. A cascaded Public

Address Book is represented as the original information box (col. 6, lines 19-22; col. 5,

lines 24-32);

"a web server for storing the tool-added information box" a web server stores

web pages containing offerings. Users of client 8 make selections of groupware

applications through the offerings in the storefront 14. Each groupware application has

an instance. Thus, the instance, which is represented as the tool-added information box, is

stored in a web server too. The instance is presented as the too-added information box

(col. 3, lines 59-62, col. 4, line 55) and "allowing customers to access the tool-added

information box after payment" as any user has to pay for accessing an instance (col. 10,

line 19).

Ciarlante does not explicitly teach the claimed limitation "a tool-added

information box resulted from the original information box by packing tools therein via

the tool server". However, Ciarlante teaches that during use of the application instance,

the host system tracks use of the application for billing and accounting purpose. The DIH

host system uses three tools for tracking users. The first is registration tables in the DIH

relational database, which store account Ids that represent each user in each instance and

username/e-mail pairs that uniquely identify each user. A second is a cascaded Public

Address Book, which stores user records for each person with instances on each hosting

server. A third is the Public Address Book, which stores groups for each instance. The

above information shows that the application instance is a result from contains a cascaded

Public Address Book by packing DIH relational database and Public Address Book via

the DIH host system. In this case, the second tool, a cascaded Public Address Book, can

be an original information box. Packing DIH relational database and Public Address

Book are represented as tools. The DIH host system is represented as a tool server. A

instance is represented as a tool-added information box (col. 10, lines 5-17).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Ciarlante's teaching the host system tracks use of the

application for billing and accounting purpose. The DIH host system uses three tools for tracking users. The first is registration tables in the DIH relational database, which store account Ids that represent each user in each instance and username/e-mail pairs that uniquely identify each user. A second is a cascaded Public Address Book, which stores user records for each person with instances on each hosting server. A third is the Public Address Book, which stores groups for each instance in order to allow any user can access any instance from different sites via Internet system.

As to claim 6, Ciarlante teaches the claimed limitations:

"an information server which is controlled by an original information provider" as a technical profile which is used by the host to determine which hosting servers may be used. This information shows the host controls the hosting servers. The host is represented as the information provider (col. 4, lines 19-21);

" an original information box selectively extracted from the information server by the original information provider" as during use of the application instance, the host system tracks use of the application for billing and accounting purpose. The DIH host system uses tools for tracking users. The first is registration tables in the DIH relational database, which store account Ids that represent each user in each instance and username/e-mail pairs that uniquely identify each user. A second is a cascaded Public Address Book, which stores user records for each person with instances on each hosting server. The above information shows that when tracking a user, the host has to select a cascaded Public Address Book from a particular server and then retrieve the particular

server cascaded Public Address Book for tracking users. A cascaded Public Address

Book is represented as a original information box (col. 10, lines 1-13);

"a tool server providing tools for accessing information stored in the original

information box" as the Registry server, which writes to the registration tables in the

Domino Instant! Host relational database and also calls the Directory server to update the

data in the DIHUsers databases on the Hosting servers. Each DIHUsers database is a

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directory server makes changes to the Public Address Books such as adding person

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provided tools for updating data in a cascaded Public Address Book. A cascaded Public

Address Book is represented as the original information box (col. 6, lines 19-22; col. 5,

lines 24-32);

"a web server for storing the tool-added information box" as a web server stores

web pages containing offerings. Users of client 8 make selections of groupware

applications through the offerings in the storefront 14. Each groupware application has

an instance. Thus, the instance, which is represented as the tool-added information box, is

stored in a web server too (col. 3, lines 59-62, col. 4, line 55)," the web server being

linked to a portal which is owned by the internet content provider so that customers can

access the tool-added information box stored in the web server by visiting the portal" as a

web server stores web page which contains offerings. These offerings are published in

the storefront 14. Users of client 8 make selections of groupware applications through

offerings in the storefront, and the applications are hosted in one of any number of

dedicated host server 16 contained in the hosting system 10. Then, the users choose URL

to identify application instance for accessing an instance. The above information shows

that the web server is linked to the storefront, which is owned by the Internet Service

Provider so that users can access a stored instance in a server by visiting the storefront.

The storefront is presented as the portal (figs. 8-9, col. 3, lines 53-64).

Ciarlante does not explicitly teach the claimed limitation "a tool-added

information box resulted from the original information box by packing tools therein via

the tool server". However, Ciarlante teaches that during use of the application instance,

the host system tracks use of the application for billing and accounting purpose. The DIH

host system uses three tools for tracking users. The first is registration tables in the DIH

relational database, which store account Ids that represent each user in each instance and

username/e-mail pairs that uniquely identify each user. A second is a cascaded Public

Address Book, which stores user records for each person with instances on each hosting

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It would have been obvious to a person of an ordinary skill in the art at the time

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account Ids that represent each user in each instance and username/e-mail pairs that

uniquely identify each user. A second is a cascaded Public Address Book, which stores

user records for each person with instances on each hosting server. A third is the Public

Address Book, which stores groups for each instance in order to allow any user can

access any instance from different sites via Internet system.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure

Herman et al (USP 6341353)

Contact Information

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cam-Y Truong whose telephone number is (703-605-

1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM.

      If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu, can be reached on (703-305-4393). The fax phone numbers for the

organization where this application or proceeding is assigned is (703-308-9051).

      Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703-305-

3900).

Cam-Y Truong

10/17/03

**SHAHID ALAM
PRIMARY EXAMINER**